

REMARKS

Claims 1-20 are pending in the application; Applicant's attorney gratefully acknowledges allowance of claims 1-14 over the prior art of record.

Claims 15 and 18 stand rejected under 35 U.S.C. 102(e) as being anticipated by Marbach, U.S. Pat. No. 6,701,542, which issued on March 9, 2004 from an application claiming priority to a French application filed May 25, 2001. However, claims 16-17 and 19-20 are objected to as being dependent upon a rejected base claim, but have been indicated as being allowable if re-written in independent form, including all of the limitations of the base claim and any intervening claims.

Claims 15 and 18 stand rejected under 35 U.S.C. 102(e) as being anticipated by Marbach. The Examiner has stated that Marbach teaches a faceplate (6) having an outer periphery (citing Fig. 3), an inner periphery (11), means for securing the faceplate to a pool sidewall (citing col. 3, lines 46-50), a first arm (top wall 14) projecting toward the skimmer housing, a second arm perpendicular thereto (rear wall 14), and a third arm (support means near bottom 15; col. 4, lines 26-31) perpendicular to the second arm projecting away from the skimmer housing (citing Fig. 2). This rejection is respectfully traversed.

It is respectfully submitted that Marbach teaches a filter system having a soft vinyl skimmer for large blow-up pools that are typically taken down at the end of the season, the vinyl skimmer being permanently welded to the sidewall of the pool. The faceplate (6) of Marbach is merely a vinyl flange that is welded on such as by heating to the vinyl wall (3) with no hardware, such as screws or fasteners. Elements 11, 14 and 15 cited by the Examiner merely show the interior view of the double-walled vinyl skimmer housing pointing to the back of the skimmer

and does not teach nor suggest a faceplate of the conventional skimmer which is used on pools that require winterizing, as disclosed and claimed in the present application. Element 15 is the water outlet opening that is designed to support the leaf basket under the rear door (2). This opening is well past the faceplate opening of the skimmer (6). Additionally, it is respectfully submitted that the Examiner has erroneously cited a single element 14 of Marbach to state that it has a "first arm and a second arm perpendicular thereto" (emphasis added). One element cannot be perpendicular to itself. As such, Marbach does not teach each and every element of claims 15 and 18 as required under 35 U.S.C. Section 102.

Thus, a favorable action allowing the application is requested, since none of the prior art, either alone or in combination, teaches a pool skimmer assembly as disclosed and claimed in the present application. If the Examiner is of the opinion that a telephone conference would be of value in furthering allowance and issuance of this application, he is invited to call the undersigned at the number listed below.

Respectfully submitted,



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